UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,657	10/13/2000	Vinod Jayaraman	NTTC-0003-US	6656

7590	03/12/2004

Fred G. Pruner, Jr.,
TROP, PRUNER, HU & MILES, P.C.,
Ste. 100
8554 Katy Freeway
Houston, TX 77024

EXAMINER
YUN, EUGENE

ART UNIT	PAPER NUMBER
2682	4

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.[†]

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-48_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-48_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _13 October 2000_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Drawings

1.   This application, filed under former 37 CFR 1.60, lacks formal drawings. The

informal drawings filed in this application are acceptable for examination purposes.

When the application is allowed, applicant will be required to submit new formal

drawings. In unusual circumstances, the formal drawings from the abandoned parent

application may be transferred by the grant of a petition under 37 CFR 1.182.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-25 and 32-40 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Havinis et al. (US 6,216,007) in view of Corwith (US 6,697,630).

Referring to Claim 1, Havinis teaches a system comprising:

a mobile unit to:

acquire information about a region near the mobile unit (see col. 3, lines 4-7);

determine a location of the mobile unit (see col. 3, lines 9-15), and

transmit an indication of the information and location (see col. 3, lines 26-30);

a client 16 (fig. 1) and a remote server 252 (fig. 2) to communicate with the mobile unit to receive the indication from the mobile unit and communicate at least some of the information to the client.

Havinis does not teach automatically labeling the information with the location of the mobile unit. Corwith teaches automatically labeling the information with the location of the mobile unit (see col. 3, lines 20-26 and col. 4, lines 4-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Corwith to said method of Havinis in order to locate a mobile station in a particular region in less time.

Referring to Claim 32, Havinis teaches a method comprising using a mobile unit to acquire information about a region near the mobile unit (see col. 3, lines 4-7), using the mobile unit to determine a location of the mobile unit (see col. 3, lines 9-15), communicating an indication of the information and location to a remote server (see col. 3, lines 26-30), and using the remote server to communicate at least some of the information to a client (see 252 of fig. 2).

Havinis does not teach automatically labeling the information with the location of the mobile unit. Corwith teaches automatically labeling the information with the location of the mobile unit (see col. 3, lines 20-26 and col. 4, lines 4-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Corwith to said method of Havinis in order to locate a mobile station in a particular region in less time.

Referring to Claims 2 and 33, Havinis also teaches the client furnishing a request to the remote server for specific criteria and the remote server filtering the information based on the specific criteria before communicating at least some of the information to the client (see col. 2, lines 1-10).

Referring to Claims 3 and 34, Havinis also teaches the criteria comprising one selected from a set consisting of a time, a date, a position, and an identifier identifying the mobile unit (see col. 1, lines 56-65).

Referring to Claim 4, Havinis also teaches a global positioning system receiver to determine the location of the mobile unit (see col. 3, line 4).

Referring to Claim 5, Havinis also teaches a triangulation technique based on locations of the cellular networks base stations (see fig. 2).

Referring to Claims 6 and 35, Havinis also teaches aquiring the information automatically pursuant to a set schedule (see ABSTRACT).

Referring to Claims 7 and 36, Havinis also teaches aquiring the information in response to a manual request (see col. 2, lines 1-3).

Referring to Claims 8 and 37, Havinis also teaches the information comprising at least one of a picture, a sound, a text, a weather condition, a brightness level and a noise level (see ABSTRACT).

Referring to Claim 9, Havinis also teaches the information comprising location specific information (see col. 3, lines 9-15).

Referring to Claim 10, Havinis also teaches the indication communicated to the remote server via a wireless network (see fig. 2.

Referring to Claim 11, Havinis also teaches remote server communicating with the client via a wired network (see fig. 1).

Referring to Claim 12, Havinis also teaches a memory storing configuration data 230 (fig. 2).

Referring to Claim 13, Havinis also teaches the configuration data including parameters that regulate the acquisition of data by the mobile unit (see col. 1, lines 40-44).

Referring to Claim 14, Havinis also teaches the parameters regulating at least one of a nature of data acquisition and a frequency of data acquisition by the mobile unit (see col. 1, lines 56-65).

Referring to Claim 15, Havinis also teaches the configuration data including parameters that regulate the transmission of the indication of the information and location by the mobile unit (see col. 1, lines 40-44).

Referring to Claim 16, Havinis also teaches the parameters regulating at least one of a location of the remote server and a frequency at which the collected data should be synchronized with the remote server (see col. 3, lines 26-30).

Referring to Claim 17, Havinis also teaches a first memory 230 (fig. 2) to store first configuration data that is communicated from a remote source to the mobile unit and a second memory 220 (fig. 2) to store second configuration data local to the mobile unit for use if the source cannot be accessed to retrieve the first configuration data.

Referring to Claim 18, Havinis also teaches wherein if the remote source cannot be accessed by the mobile unit, the mobile unit uses the second configuration data to

regulate the acquisition of the information and the transmission of the indication of the

information and the location until the source can be accessed (see col. 4, lines 18-29).

Referring to Claim 19, Havinis also teaches comparing the second configuration

data with the first configuration data and if the first and second configurations are

different, then the mobile unit updates the second configuration data with the first

configuration data (see col. 4, lines 18-29).

Referring to Claim 20, Havinis also teaches the mobile unit adapted to receive a

directive from the source to modify the first configuration data and the mobile unit

modifies the first configuration data in response to third configuration data provided by

the source (see col. 4, lines 3-7).

Referring to Claim 21, Havinis also teaches the mobile unit adapted to transmit

the data automatically transferred pursuant to one of a pre-scheduled tome, a timeout

interval, or an amount of data that has been collected (see col. 3, lines 26-30).

Referring to Claim 22, Havinis also teaches the mobile unit adapted to transmit

the indication of the information of the information and the location asynchronously after

the acquisition of the information (see col. 3, lines 26-30).

Referring to Claim 23, Havinis also teaches the mobile unit adapted to base the

transmission on at least one of a set time schedule, a number of data sets collected, a

condition of the network, or an amount of data collected (see col. 3, lines 26-30).

Referring to Claim 24, Havinis also teaches the mobile unit adapted to attempt to

establish connection with the server at regular intervals of time of a communication

between the mobile unit and the server is disrupted, and the mobile unit transmit the

information to the server when the server is available to communicate with the mobile

unit (see col. 4, lines 18-29).

Referring to Claim 25, Havinis also teaches the mobile unit adapted to resume a

communication with the server is at a point where communication broke off should the

communication be interrupted (see col. 4, lines 18-29).

Referring to Claim 38, Havinis also teaches the size and quality of the indication

of the information communicated to the remote server depending on parameters

comprising at least one of a wireless channel quality, traffic conditions, wireless channel

bit rate and a subscriber fee (see col. 1, lines 36-44).

Referring to Claim 39, Havinis also teaches the wireless channel quality formed

at least in part by at least one of a signal to noise ratio and a signal to interference ratio

(see col. 2, lines 44-49).

Referring to Claim 40, Havinis also teaches the information comprising at least

one of image data, audio data and video data (see ABSTRACT).

4.   Claims 26-29 and 41-44 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Havinis in view of Corwith and Kariya (US 5,774,803).

Referring to Claim 26, Havinis teaches a system comprising:

a mobile unit to:

acquire information about a region near the mobile unit (see col. 3, lines 4-7);

determine a location of the mobile unit (see col. 3, lines 9-15), and

transmit an indication of the information and location (see col. 3, lines 26-30);

a client 16 (fig. 1) and at least one remote server 252 (fig. 2) coupled to the client

to communicate with the mobile unit to receive the indication from the mobile unit and

communicate at least some of the information to the client based on filtering parameters

(see col. 2, lines 1-10).

Havinis does not teach the use of multiple mobile units. Kariya teaches the use of

multiple mobile units (see fig. 1). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to provide the teachings of

Kariya to said method of Havinis in order to reduce the limitations of information that

can be used when locating a mobile station.

The combination of Havinis and Kariya does not teach automatically labeling the

information with the location of the mobile unit. Corwith teaches automatically labeling

the information with the location of the mobile unit (see col. 3, lines 20-26 and col. 4,

lines 4-10). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to provide the teachings of Corwith to said method of

Havinis in order to locate a mobile station in a particular region in less time.

Referring to Claim 41, Havinis also teaches a method usable with a mobile unit,

comprising:

using a mobile unit to acquire information about a region near the mobile unit

(see col. 3, lines 4-7), associating a location of the mobile unit with the information

acquired by the mobile unit (see col. 3, lines 9-15), communicating an indication of the

information and location to a remote server (see col. 3, lines 26-30), filtering the

information based on filtering parameters provided by a client and providing the information to a client (see 252 of fig. 2 and col. 2, lines 1-10).

The combination of Havinis and Kariya does not teach automatically labeling the information with the location of the mobile unit. Corwith teaches automatically labeling the information with the location of the mobile unit (see col. 3, lines 20-26 and col. 4, lines 4-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Corwith to said method of Havinis in order to locate a mobile station in a particular region in less time.

Referring to Claims 27 and 42, Havinis also teaches the client furnishing at least some of the filtering parameters to said at least one remote server (see col. 2, lines 1-10).

Referring to Claims 28 and 43, Havinis also teaches the filtering parameters comprising at least one of a mobile unit identifier, an acquisition time frame, a geographic location and moving information (see col. 1, lines 56-65).

Referring to Claims 29 and 44, Havinis also teaches the moving information comprises one of a direction and a speed (see col. 2, lines 35-43).

5.   Claims 30, 31, and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havinis, Corwith and Kariya in view of Pace, II (US 5,712,899).

Referring to Claim 30, the combination of Havinis, Corwith and Kariya do not teach a map server wherein the remote server uses the indications of location from the mobile units to plot the locations on street maps that it obtains from the map server.

Pace teaches a map server wherein the remote server uses the indications of location from the mobile units to plot the locations on street maps that it obtains from the map server (see fig. 9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Pace to said method of Havinis in order to make the location determining method more user friendly.

Referring to Claim 31, Pace also teaches the remote server presenting at least one of the street maps to the client to permit the client to communicate a specific location to the remote server and the remote server communicating information from a mobile unit closest to the specific location to the client (see process of fig. 9).

Referring to Claim 45, the combination of Havinis, Corwith and Kariya does not teach displaying a street map and identifying a location on the street map to develop at least one of the filtering parameters. Pace teaches displaying a street map and identifying a location on the street map to develop at least one of the filtering parameters (see fig. 9).
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Pace to said method of Havinis in order to make the location determining method more user friendly.

Referring to Claim 46, Pace also teaches displaying the mobile units on the street map, wherein the size of each mobile object that is displayed on the map depends on the accuracy of a location detection unit of said each mobile object (see figs. 5, 6, and 9).

Referring to Claim 47, Pace also teaches a GPS receiver (fig. 2)

Referring to Claim 48, Pace also teaches wherein a size and color of each mobile object that is displayed on the map depends of an age of information about said each mobile object (see col. 8, lines 35-44).

Response to Arguments

6.   Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eugene Yun
Examiner
Art Unit 2682

EY

VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

3/8/04